



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,442	02/17/2004	Jeffrey D. Hensel	M61.12-0537	6973
27366	7590	07/25/2006	EXAMINER	
WESTMAN CHAMPLIN (MICROSOFT CORPORATION)			LEWIS, CHERYL RENE A	
SUITE 1400			ART UNIT	
900 SECOND AVENUE SOUTH			PAPER NUMBER	
MINNEAPOLIS, MN 55402-3319			2167	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/780,442	HENSEL ET AL.	
	Examiner	Art Unit	
	Cheryl Lewis	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are presented for examination.

PRIORITY

2. Applicant has complied and receives the benefit of priority of an earlier filing date under 35 U.S.C. 119(e) to application 60/454389 filed March 12, 2003.

Drawings

3. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Figures 6A-6D and 8A-8D. For example, placing a label, "technology node", with element 413 of Figure 1A, would give the viewer necessary detail to fully understand this element at a glance. A **descriptive** textual label for **each numbered element** in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and

Art Unit: 2167

are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1, 3-4, 7, 9-13, 15-19, and 24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106 IV.B.2.(b)

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. Schrader, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts.

6. Claims 1, 3-4, 7, 9-13, 15-19, and 24 are not statutory because the claims do not produce a tangible result.

The claim limitations comprise a hierarchical organizational structure of a business. The hierarchical business structure has a plurality of entities. These entities are connected via links. However, these links are merely a level, branch, or node that

Art Unit: 2167

connects the various entities within the organizational structure. The definition for the links as a level or path to the various business entities is described in this manner in the applicants' Specification.

Independent claims 1, 12, and 19 have a practical application, but the practicality of these applications do not produce tangible results. The limitations of independent claims 1, 12, and 19 only describe links (i.e. branches, nodes, or a path) which connects the various data entities (i.e. departments) of a business organization. These links only describe how the data entities are connected within the organizational structure. The independent claims fail to describe how a tangible result is being produced. In other words, the independent claims do not recite any manipulation of data that could comprise any of the following to produce tangible results:

- (a) storage; or
- (b) display; or
- (c) copying data; or
- (d) importing or exporting data; or
- (e) writing data; or
- (d) urls, etc.

Also, the claim limitations comprise a filter. The filter is described as a means to associate a business entity with a tree structure level, specification page 18, lines 12-18. The filter limitation does not produce tangible results.

Likewise, the claim limitations comprise a filter container. The filter container is described as a business unit, specification page 16, lines 1-3. Again, the claim

limitations comprise a filter link. The filter link is described as a link that ties the nodes of a tree, specification page 17, lines 1-6. Both of these claim limitations, a filter container and a filter link, do not produce tangible results.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Gervais et al. (Pat. No. 6,381,579 B1 filed June 17, 1999, hereinafter Gervais).

9. Regarding Claim 1, Gervais teaches a system and method to provide secure navigation to resources on the internet.

The method and associated system for a system and method to provide secure navigation to resources on the internet as taught or suggested by Gervais includes:

obtaining organization structure information indicative of a structure of the organization (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.');

obtaining data entity information indicative

Art Unit: 2167

of data entities that represent the data related to the organization (col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".); generating links (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60), separate from the data entities (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60, col. 13, lines 45-64), linking the data entities to the organization structure (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60); and determining whether the user has access to the data entities based on the links (col. 6, lines 18-27).

10. Regarding Claim 2, Gervais teaches obtaining the organization structure information comprising a hierarchical tree structure having nodes (col. 5, lines 50-67, col. 6, lines 1-67), each node being representative of a unit of the organization (col. 5, lines 50-67, col. 6, lines 1-67).

11. Regarding Claim 3, Gervais teaches each node comprises a link container configured to include one or more links to data entities and wherein generating links comprises providing one or more links to data entities in the link container (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60).

12. Regarding Claim 4, Gervais teaches a plurality of nodes into a node group (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60), each node group comprising a group link container configured to include one or more links to the data

Art Unit: 2167

entities (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60), and wherein generating links comprises providing one or more links to the data entities in the group link container (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60).

13. Regarding Claim 5, Gervais teaches associating user roles with the nodes and group nodes in the hierarchical tree structure (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

14. Regarding Claim 6, Gervais teaches assigning the user to a user role (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

15. Regarding Claim 7, Gervais teaches filtering the user access to data entities linked to nodes that are associated with the user role to which the user is assigned (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

Art Unit: 2167

16. Regarding Claim 8, Gervais teaches generating the organization structure information as a tree structure (col. 5, lines 50-67, col. 6, lines 1-65, col. 8, lines 34-67, col. 9, lines 1-60).

17. Regarding Claim 9, Gervais teaches changing the tree structure (col. 8, lines 21-32); and modifying the links to link the data entities to the changed tree structure (col. 8, lines 21-32).

18. Regarding Claim 10, Gervais teaches automatically transferring links from the affected nodes to other nodes in the tree structure (col. 6, lines 48-57, col. 7, lines 8-26).

19. Regarding Claim 11, Gervais teaches presenting links to the affected nodes for manual modification (col. 6, lines 48-57, col. 7, lines 8-26).

20. Regarding Claim 12, Gervais teaches an organization structure generator component (col. 6, lines 7-17), configured to generate the organization structure with a plurality of nodes, each node representing a unit of the organization figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system...In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".); and a link manager

component generating a link between a given unit of the organization represented by a given node in the organization structure and an entity representative of data corresponding to the organization (col. 3, lines 40-50, col. 7, lines 15-26 and 39-61).

21. Regarding Claim 13, Gervais teaches a link container and wherein the link manager is configured to generate the link between the given unit and the entity by placing the link in the link container represented by the given node (col. 3, lines 40-50, col. 5, lines 50-67, col. 6, lines 1-65, col. 7, lines 15-26 and 39-61, col. 8, lines 34-67).

22. Regarding Claim 14, Gervais teaches a user role manager component configured to assign a user role to a user (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

23. Regarding Claim 15, Gervais teaches the user role manager component is configured to link each role to nodes in the organization structure through containers associated with those nodes (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

24. Regarding Claim 16, Gervais teaches a filtering layer configured to filter user access to entities based on the user's user role and the links (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing

either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.').

25. Regarding Claim 17, Gervais teaches the link manager is configured to automatically modify links in the link containers according to a predetermined process based on changes to the organization structure (col. 8, lines 21-32).

26. Regarding Claim 18, Gervais teaches changes to the organization structure affect nodes and wherein the link manger is configured to display links in the link containers corresponding to the affected nodes for manual modification based on the changes to the organization structure (col. 3, lines 40-50, col. 6, lines 48-57, col. 7, lines 8-26 and 39-61).

27. Regarding Claim 19, Gervais teaches tree data indicative of a tree structure comprised of connected nodes (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".), each node in the tree structure representing a unit of the organization and configured to include filter links (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the

Art Unit: 2167

right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".), the filter links each identifying a business data entity that is linked to the unit of the organization represented by the node containing the link (figure 1, col. 6, lines 18-35, 'FIG. 1 illustrates how users with various levels of authority can interact with the system... In the example on the right, resource users 101₁, 101₂, 101₃ are accessing either a Sales Discussion database 104₁, a Product Discussion database 104₁, or both.', col. 9, lines 5-49, 'In this case the NetTop is labeled "Xspan Briefing Center" 502b. All other containers and resource links in the system are response to response documents. In this case, the cabinet labeled "AAA Supplier Network" 502c is a response to the NetTop 502b and the containers labeled "Project Alpha" and "Project Omega" 502d are responses to "AAA Supplier Network".).

28. Regarding Claim 20, the limitations of this claim has been noted in the rejections of claims 2, 6, and 7 presented above. It is therefore rejected as set forth above.

29. Regarding Claim 21, the limitations of this claim has been noted in the rejections of claims 2, 6, and 7 presented above. It is therefore rejected as set forth above.

30. Regarding Claim 22, the limitations of this claim has been noted in the rejections of claims 5 and 19 presented above. It is therefore rejected as set forth above.

31. Regarding Claim 23, the limitations of this claim has been noted in the rejections of claims 1, 12, and 19 presented above. It is therefore rejected as set forth above.

32. Regarding Claim 24, the limitations of this claim has been noted in the rejections of claim 19 presented above. It is therefore rejected as set forth above.

NAME OF CONTACT

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

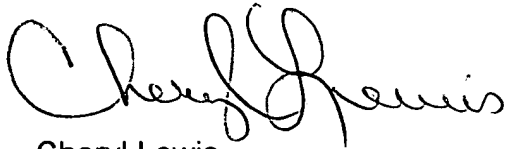
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2167

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is fluid and cursive, with the first name "Cheryl" being more prominent than the last name "Lewis".

Cheryl Lewis
Patent Examiner
July 22, 2006